

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Jeffrey Sylvester Jones,	:	
	:	
Plaintiff	:	Civil Action 2:05-cv-773
	:	
v.	:	Judge Smith
	:	
Officer Aaron Graley, <i>et al.</i> ,	:	Magistrate Judge Abel
	:	
Defendant	:	

Order

Plaintiff Jeffrey Sylvester Jones, a state prisoner, brings this action alleging that defendant Officer Aaron Graley shot him in the back, broke his wrist, and beat him over the head with a radio. This matter is before the Court on the Magistrate Judge's March 23, 2006 Report and Recommendation recommending that defendants' January 23, 2006 motion to dismiss for lack of subject matter jurisdiction be denied. No objections have been filed.

Upon *de novo* review as required by 28 U.S.C. § 636(b)(1)(B), the Court ADOPTS the March 23, 2006 Report and Recommendation. Defendants' January 23, 2006 motion to dismiss for lack of subject matter jurisdiction (doc. 19) is DENIED.

/S/ George C. Smith
George C. Smith
United States District Judge